

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

THE DUPAGE COUNTY BOARD OF ELECTION	)	
COMMISSIONERS, a body politic; KAMI	)	
HIERONYMUS, not individually, but as County Clerk	)	
of Bureau County; SHARON HOLMES, not	)	
individually, but as County Clerk of DeKalb County;	)	
RENNETA MICKELSON, not individually, but as	)	
County Clerk of Kendall County; NANCY NELSON,	)	
not individually, but as County Clerk of Lee County;	)	No. 08 C 232
BARBARA M. LINK, not individually, but as County	)	
Clerk of Henry County; JOHN A. CUNNINGHAM,	)	
not individually, but as County Clerk of Kane County;	)	Judge Castillo
and the CITY OF AURORA BOARD OF ELECTION	)	Magistrate Judge Cox
COMMISSIONERS, a body politic,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	
	)	
ILLINOIS STATE BOARD OF ELECTIONS, a body	)	MOTION OF THE UNITED
politic; and JOHN LAESCH, JOTHAM STEIN, BILL	)	STATES TO PARTICIPATE AS
FOSTER, each individually, as certified Democratic	)	<u>AMICUS CURIAE</u>
candidates for the February 5, 2008, Special Primary	)	
Election for the 14th Congressional District; CHRIS	)	
LAUZEN and JIM OBERWEIS, each individually, as	)	
certified Republican candidates for the February 5,	)	
2008, Special Primary Election for the 14th	)	
Congressional District,	)	
	)	
Defendants.	)	
	)	

The United States respectfully moves this Court for leave to participate in the above-captioned case as amicus curiae, to file the attached brief, and to participate in any hearing on the proposed declaratory relief.

This action concerns the special elections to fill the vacancy in the office of United States Representative for the Fourteenth Congressional District, scheduled for February 5 and March 8,

2008. The Attorney General is charged with the responsibility for the enforcement of the Uniformed and Overseas Citizens Absentee Voting Act of 1986, 42 U.S.C. §§ 1973ff to 1973ff-6 (“UOCAVA”). This suit, and the emergency relief sought, raise important issues concerning the State’s compliance with UOCAVA in the context of the compressed schedule for the conduct of these federal elections. The United States has a strong interest in ensuring that the voting rights of military and overseas voters are protected and that any relief ordered by this Court is sufficient to meet the requirements of UOCAVA. As discussed in the accompanying Memorandum of Points and Authorities, the Department of Justice is in a unique position to be of assistance to the Court in the resolution of those issues.

WHEREFORE, the United States respectfully prays that the Court enter the attached order granting the United States leave to participate as amicus curiae in the proceedings to address the UOCAVA-related questions in the case. The United States further requests that the Court accept the attached amicus brief and permit the United States to participate in any hearing held to consider the requested relief.

Respectfully submitted,

Date: 14th day of January, 2008

PATRICK J. FITZGERALD  
United States Attorney

GRACE CHUNG BECKER  
Acting Assistant Attorney General

s/Joan Laser

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